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January 14, 2005

VIA HAND DELIVERY

Chairman Pat Miller
c/o Sharla Dillon, Docket Manager
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37243

Re: Petition of Tennessee American Water Company to Change and Increase Certain Rates and Charges So As to Permit It to Earn a Fair and Adequate Rate of Return on Its Property Used and Useful In Furnishing Water Service to Its Customers, Docket No. 04-00288.

Dear Chairman Miller:

Enclosed please find the original and thirteen (13) copies of Tennessee American Water Company's Response in Opposition to Chattanooga Manufacturers Association's Request for Contested Case Hearing to be Conducted in Chattanooga, Tennessee for filing in the above-referenced docket.

Should you have any questions with respect to this filing, please do not hesitate to contact me at the telephone number listed above.

Very truly yours,



R. Dale Grimes

RDG/tn
Enclosure

cc: Henry Walker, Esq.
Michael A. McMahan, Esq.
Timothy C. Phillips, Esq.
Mr. Paul Diskin
T.G. Pappas, Esq.

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Docket No. 04-00288

CHATTANOOGA, TENNESSEE

The only basis asserted in support of the motion -- to give individual rate payers the opportunity to be heard -- could be cited in any case before the TRA where affected rate payers live outside Nashville. The TRA does not need to adopt such an itinerant existence to discharge its public duties. The rate payers are well represented in this proceeding by the CMA and the Consumer Advocate's office. These interests are represented by counsel, and witnesses have already provided testimony on their behalf. Certainly any other individual who wishes to be

heard has every opportunity to exercise that right by attending the hearing at the TRA's normal location in Nashville.

Moreover, even if this request were otherwise warranted, it has been filed too late. Just over two weeks remain before the hearing is set to begin. The TRA itself has already issued public notice of the time and place of the hearing in Nashville, and the Petitioner likewise is providing for the publication of notice of the same information in the local Chattanooga newspaper.

The hearing should take place as scheduled in the Hearing Room of the offices of the TRA, which is located on the Ground Floor at 460 James Robertson Parkway, Nashville, Tennessee. Petitioner submits that the Hearing Room of the offices of the TRA in Nashville, Tennessee, is the best location for such hearing as it (1) is the location of the offices, staff, and resources of the TRA, (2) is the location of the attorneys for the Petitioner, (3) is the location of the majority of the attorneys for the Intervenor, (4) is the most convenient location for the witnesses of the Petitioner, and (5) best serves the interests of justice.

For the foregoing reasons, Petitioner respectfully requests that the motion be denied.

Respectfully submitted,



R. Dale Grimes (#6223)

J. Davidson French (#15442)

T. G. Pappas (#2703)

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Counsel for Petitioner

Tennessee American Water Company

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served via the method(s) indicated, on this the 19th day of January, 2005, upon the following:

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